

FILED US District Court-UT
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Name: Hoeun Chea, prose
Address: 14 East 950 South Layton, Utah 84041
Telephone: 801 666-0345
hchea1@bruinmail.slcc.edu

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH - Northern DIVISION

Hoeun Chea

Plaintiff,

v.

IHC Health Services Inc.
dba Intermountain Healthcare

Defendant(s).

COMPLAINT

Case: 1:21-cv-00073
Assigned To : Bennett, Jared C.
Assign. Date : 5/18/2021
Description: Chea v IHC Health
Services

Jury Trial Demanded

A. JURISDICTION

This action is brought pursuant to Title VII of the Civil Rights Act of 1964 as amended, for employment discrimination. Jurisdiction is specifically conferred on this Court by 42 U.S.C. § 2000e(5). Equitable and other relief are also sought under 42 U.S.C. § 2000e(5)(g). Jurisdiction is also based on 28 U.S.C. §§ 1331, 1343 and 42 U.S.C. §§ 1981 et seq. Where employment discrimination based upon age is alleged, jurisdiction is conferred by 29 U.S.C. §§ 626(c)(1) and appropriate relief is also sought.

B. PARTIES

1. Name of plaintiff:
Present mailing address:

Hoeun Chea
14 E 950 So
Layton, Utah

2. Name of first defendant: IHC Health Services Dnc.
Present mailing address or d/b/a Intermountain Healthcare
business location: 7302 Bingham Junction Blvd
Midvale, Utah 84047
3. Name of second defendant: _____
Present mailing address or _____
business location: _____
4. Name of third defendant: _____
Present mailing address or _____
business location: _____

(Use additional sheets if necessary.)

C. NATURE OF CASE

1. The address at which I sought employment or was employed by the defendant(s) is:
IHC Supply Chain Center
7302 Bingham Junction Blvd
Midvale, Utah 84047
2. The discriminatory acts occurred on or about:
June - August 2019, continuing until
(Month, Day, Year) terminated Dec 6, 2019
3. I filed charges with the Anti Discrimination Division of the Utah State Industrial Commission regarding the defendant's discriminatory conduct on or about:
Sept 30, 2020
(Month, Day, Year)
(amended Nov 18, 2020)

4. I filed charges with the Equal Employment Opportunity Commission regarding the defendant's discriminatory conduct on or about:

Sept 30, 2020
(Month, Day, Year) *amended Nov 18, 2020*

5. The Equal Employment Opportunity Commission sent the attached "Notice of Right to Sue" which I received on:

Feb 17, 2021
(Month, Day, Year)

(Please attach the "Notice of Right to Sue" to this complaint.)

6. The discriminatory acts that are the basis of this suit are:

- a. ☐ Failure to employ me
b. ☐ Failure to promote me
c. ☒ Termination of my employment
d. ☐ Demotion
e. ☐ Denied equal pay/work
f. ☒ Sexual harassment
g. ☒ General harassment
h. ☐ Other acts (Be specific: Attach an additional sheet if

necessary)

7. Defendant's conduct is discriminatory with respect to:

- a. ☒ my race
b. ☒ my color
c. ☒ my sex
d. ☐ my religion
e. ☒ my national origin
f. ☐ my age

g. retaliation

8. I believe that the defendant is still committing these acts against me.

☐ yes ☒ no

D. CAUSE OF ACTION

1. I allege that the defendant has discriminated against me and that the following facts form the basis for my allegations:

a. (1) Count I: Harassment on basis of race & sex

(2) Supporting Facts: (Describe exactly what each defendant did or did not do. State the facts clearly, in your own words without citing any legal authority. Use additional sheets if necessary.)

A female coworker frequently made comments
that because of my horoscope sign (Scorpio)
I was sexually hyper active. I complained to
no

b. (1) Count II: Retaliation culminating in termination
 (2) Supporting Facts: of employment

After I complained IHC suspended me
for an incident that had happened 6 months
earlier. And then soon after I complained,
IHC terminated my employment because I
allegedly had brought a gun to the work place
which was completely false and therefore
pretextual. The female coworker against whom
I complained and my supervisor to whom I had
complained worked together to get me fired.

1. How have you been injured by the actions of the defendant(s)?

I lost my job and salary and benefits
\$17.80 an hour
I was unemployed for a few weeks, then
became reemployed but at a \$2.20 an hour
lower wage (\$15.60)

F. REQUEST FOR RELIEF

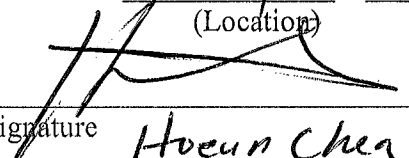
2. I believe I am entitled to the following relief:

A judgment awarding damages for lost
wages + benefits, lost wage
differential for at least 2 years
damages for emotional distress, financial
stress and expenses and attorneys fees and
costs

DECLARATION UNDER PENALTY OF PERJURY

The undersigned declares under penalty of perjury that he/she is the plaintiff in the above action, that he/she has read the above complaint and that the information contained therein is true and correct. 28 U.S.C. §1746; 18 U.S.C. § 1621.

Executed at Sandy Utah on May 17, 2021
(Location)


Signature Hoeun Chen

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*prepared with assistance
of Attorney David Hord'sworth*